

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 4TH JULY 2006 / 13TH ASHADA 1928

Bail Appl..No. 3978 of 2006()

CP.9/2006 of J.M.F.C.,PEERUMEDU
C.R.NO.6/2001 OF KATTAPPANA EXCISE RANGE
.....

PETITIONER/ACCUSED:

THIRUPATHI, AGED 28 YEARS,
S/O. KARUPPAYYA, MADHAVANKANAM,
ANAVILASAM VILLAGE, UDUMBANCHOLA TALUK,
IDUKKI DISTRICT.

BY ADV. SRI.JACOB SEBASTIAN
SRI.M.A.RASHID

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
FOR EXCISE INSPECTOR, KATTAPPANA RANGE.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04/07/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. No. 3978 of 2006

Dated this the 4th day of July, 2006

O R D E R

The petitioner is accused in C.R.No.6/2001 of Kattappana Excise Range. The petitioner was found in illegal possession of 5.25 litres of Indian Made Foreign Liquor and 6 bottles of beer. The petitioner is running a grocery shop, adjacent to his house. It is alleged that the petitioner stored the contraband article for sale, without any license, from the authorities. The petitioner was absconding, therefore, he could not be arrested.

2. The learned counsel for the petitioner denies the above submissions and counsel contended that the petitioner is running a grocery shop and he is always in the house. The wife of the petitioner is also always in the house. No one was arrested.

3. The facts reveal that the investigation is completed and the matter is pending for committal proceedings as C.P.No.9/2006 on the file of Judicial First Class Magistrate

Court, Peerumade. The offence alleged against the accused are under Sections 55(a) and 55(i) of the Abkari Act.

4. In view of the above discussions, I direct the petitioner to surrender before the Judicial First Class Magistrate Court, Peerumade. The learned Magistrate shall proceed against the petitioner, as per the law.

(J.M.JAMES)
Judge

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